

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE SERVICES

Before the Commissioner of the Office of Financial and Insurance Services

In the matter of:

Andrea Vinson
7080 Marsh Road
Marine City, MI 48039

Enforcement Case No. 06-4273

Respondent

Issued and entered,
on July 24, 2006
by Richard D. Lavolette
Chief Deputy Commissioner

CONSENT ORDER

I.
BACKGROUND

Castlerock Funds, Inc. is a Michigan domiciled corporation, organized under the laws of the state of Michigan, that has made application for licensure as a mortgage broker under the Mortgage Brokers, Lenders, and Servicers Licensing Act ("MBLSLA"), Act No. 173 of 1987, as amended, MCL 445.1651 *et seq.* Andrea Vinson (Respondent) is the sole officer of Castlerock Funds, Inc. Respondent is not licensed by the Office of Financial and Insurance Services ("OFIS") pursuant to the MBLSLA or any other consumer finance statute regulated by OFIS. In reviewing Castlerock Funds, Inc.'s application, OFIS staff determined that Respondent was conducting mortgage-related activities, which require licensure as a mortgage broker under the

MBLSLA. Respondent and OFIS staff have conferred and have agreed to resolve this matter according to the terms set forth below.

II.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. In Respondent's Personal Disclosure Statement submitted to OFIS on or about February 15, 2006, Respondent affirmed that, from 1999 to the present, mortgage companies contracted with her to originate mortgage loans. Specifically, Respondent has originated loans for G.M. Mortgage Corporation and Source One Mortgage Corporation (Source One Mortgage), formerly known as G.M. Mortgage Corporation. Staff received a letter dated March 10, 2006, from an office manager of Source One Mortgage. The letter declares that Respondent has originated loans for Source One Mortgage since the year 2003, and is currently a loan originator for Source One Mortgage. Additionally, Respondent asserts in her mortgage broker application that she is an employee of Source One Mortgage; however, she has received nonemployee compensation during her alleged employment as a loan officer of Source One Mortgage.

2. Respondent submitted to OFIS Forms 1099 for the years 2002, 2003, 2004, and 2005 illustrating that for the aforementioned years, she received nonemployee compensation from G.M. Mortgage Corporation and Source One Mortgage. Section 2 of the MBLSLA proscribes Respondent from receiving compensation from a mortgage company unless she is an employee of the mortgage company or meets any of the exceptions enumerated therein. Respondent does not meet any of exceptions specified in Section 2 of the MBLSLA and, consequently, Respondent's receipt of nonemployee compensation for originating mortgage loans is a violation of the MBLSLA.

3. Section 2(1) of the MBLSLA prohibits a person from acting as a mortgage broker, mortgage lender, or mortgage servicer without first obtaining a license or registration.

4. Section 2(3) of the MBLSLA prohibits a residential mortgage loan originator (also known as a loan officer) from receiving directly or indirectly any compensation, commission, fee, points or other remuneration from a mortgage broker, mortgage lender, or mortgage servicer other than his/her employer.

5. Based on the forgoing, Respondent has conducted first lien mortgage business without the requisite license or registration certificate required under Section 2(1) of the MBLSLA.


III. ORDER

Therefore it is ORDERED that:

1. Respondent shall cease and desist violating Sections 2(1) and 2(3) of the MBLSLA.
2. Respondent shall pay to OFIS an applicable civil penalty of \$1000.00.
3. Respondent, as the sole officer of Castlerock Funds, Inc., shall establish and maintain a program to monitor and ensure compliance with all state and federal consumer laws and regulations relating to all mortgage activity.
4. Respondent, as the sole officer of Castlerock Funds, Inc., shall educate herself and all employees of Castlerock Funds, Inc. with respect to all state and federal consumer laws and regulations, including the Mortgage Brokers, Lenders, and Servicers Licensing Act.
5. Respondent shall review and ensure that Castlerock Funds, Inc. complies with the OFIS Consumer Finance Bulletin No. 2003-09-CF, posted on the OFIS website, which clarifies OFIS' position on employees and branch offices in Michigan.

6. Respondent, as the sole officer of Castlerock Funds, Inc., shall immediately designate a compliance officer for Castlerock Funds, Inc. and provide written notification to OFIS of the compliance officer's name and business address, to ensure that Castlerock Funds, Inc. is in compliance with all applicable state and federal laws. Respondent's written notice designating a compliance officer shall accompany her payment of a civil penalty as provided for in Paragraph 2 of this Order. Respondent, as the sole officer of Castlerock Funds, Inc., shall notify the Office of Financial and Insurance Services of any change in designation of the compliance officer within 30 days of such re-designation.

The Chief Deputy Commissioner, the Commissioner's authorized agent, retains jurisdiction over the matters contained herein and has the authority to issue such further Order(s) as she shall deem just, necessary, and appropriate in accordance with the provisions of the MBLSLA. Failure by Andrea Vinson and Castlerock Funds, Inc. to abide by the terms and provisions of this Order may result in the commencement of additional proceedings.


Richard D. Lavolette
Chief Deputy Commissioner
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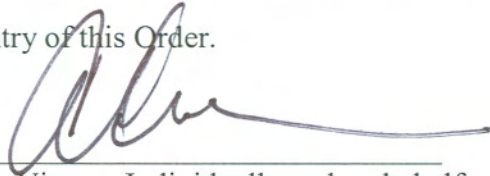
IV. STIPULATION

I, Andrea Vinson, acting both in my individual capacity and on behalf of Castlerock Funds, Inc., have read and understand the proposed Consent Order above. I agree that the Chief Deputy Commissioner, the Commissioner's authorized agent, has jurisdiction and authority to issue this Consent Order pursuant to the Mortgage Brokers, Lenders, and Servicers Licensing Act, 1987 PA 173, as amended, MCL 445.1651 *et seq.* I voluntarily waive the right to a hearing

in this matter if this Consent Order is issued. I understand that this Stipulation and Consent Order will be presented to the Chief Deputy Commissioner for approval and that the Chief Deputy Commissioner may or may not issue this Consent Order. I waive any objection to the Commissioner deciding this case following a hearing in the event the Consent Order is not approved. Henceforth, I agree to comply with the requirements of the Mortgage Brokers, Lenders, and Servicers Licensing Act. I agree to the entry of this Order.

Dated:

7.17.06



Andrea Vinson, Individually and on behalf
of Castlerock Funds, Inc.

OFIS staff approves this Stipulation and recommends that the Chief Deputy Commissioner issue the Consent Order above.

Dated:

7/19/2008



Marlon F. Roberts
Staff Attorney